

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

VICTOR BARRY, :  
Plaintiff, : Case No. 3:09cv00241  
: District Judge Thomas M. Rose  
vs. : Magistrate Judge Sharon L. Ovington  
MICHAEL J. ASTRUE, :  
Commissioner of the Social :  
Security Administration, :  
: Defendant.

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**DECISION AND ENTRY**

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The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #12), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on May 6, 2010 (Doc. #12) is ADOPTED in full;
2. The Commissioner's final non-disability decision is AFFIRMED; and
3. The case is terminated on the docket of this Court.

May 25, 2010

\*s/**THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge